

Kashmir

Flashpoint or Safety Valve?

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THE CONTENTIOUS ISSUE of Kashmir has been a constant in India-Pakistan relations since the independence and partition of British India in 1947. The two countries have fought three wars—two of them over Kashmir. Since India and Pakistan conducted politically spectacular nuclear tests last year, many observers wonder whether Kashmir might trigger a South Asian nuclear war. Historically, Kashmir has been both a flashpoint and a safety valve. Both countries have raised issues relating to Kashmir's status and security as a safety valve for diverting their public's attention from domestic problems. The danger is that both sides may raise these issues simultaneously, turning the safety valve into a flashpoint. As India and Pakistan develop and field nuclear weapons and delivery systems, the potential danger of this flashpoint increases.

The modern states of India and Pakistan resulted from the division of the British Indian Empire in 1947. The bloody division left a bitter rivalry and hostility. At the time of independence, the princes ruling the 560-some Indian states were given the choice of joining India or Pakistan. Most quickly decided based on their state geographic location and the religious majority. India ended up with a Hindu majority and the largest Muslim minority community in the world.¹ Pakistan's predominately Muslim population was physically separated by 1,000 miles of India between West Pakistan and East Pakistan. The State of Jammu and Kashmir was a problem at the time of partition. Its Muslim, Hindu and Buddhist communities lived in relatively distinct areas, with the Muslims inhabiting the Kashmir valley adjacent to Western Pakistan. The maharaja who ruled Jammu and Kashmir wanted full independence. Partitioning of the state might have been a better option, but the British refused to allow Jammu and Kashmir independence, and partition

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was not an option. The Hindu maharaja, with a Muslim majority of subjects, signed a one-year "stand still" agreement with India and Pakistan to maintain the status quo.²

The "stand still" quickly disintegrated as Muslim Pashtun tribesmen from Pakistan conducted raids into northern and western Jammu and Kashmir. The maharaja appealed to India for help, which came only after the maharaja agreed to join India. When Indian troops entered Jammu and Kashmir, Pakistani troops responded, sparking the First India-Pakistan War. The UN brokered a cease-fire on 1 January 1949. The cease-fire agreement called for the withdrawal of all Pakistani forces and most Indian forces prior to a UN-sponsored plebiscite on the future of Jammu and Kashmir. A UN peace-keeping force deployed to the area, where it remains today. However, despite several false starts, India never allowed the plebiscite to take place. Pakistan incorporated the areas taken in northern Jammu and Kashmir. The western areas held by Pakistan became independent *Azad* (free) Kashmir—an entity recognized solely by Pakistan.

Animosity between India and Pakistan continued. In 1965, Pakistan reportedly sent thousands of Pashtun tribesmen across the cease-fire line to incite an uprising in Indian-controlled Kashmir. The

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Indian Army countered by crossing the cease-fire line and seizing key terrain and mountain passes allegedly used as infiltration routes. Pakistan responded with a major attack into southern Kashmir. Indian troops then thrust south of Kashmir into Pakistan itself. The fighting in the Second India-Pakistan War was brutal, with India the tactical victor but the war a strategic stalemate. The UN-brokered cease-fire led to another agreement under which both sides withdrew to prewar positions.

The Third India-Pakistan War erupted when Indian troops entered East Pakistan in late 1971 while a brutal civil war was already in progress. India invaded to depose the Pakistani government and allow the break-away faction to take control. An independent Bangladesh took the place of East Pakistan. Kashmir was not a factor in this war, but the 1949 cease-fire was somewhat modified by the 1972 agreement.

Kashmir's Political Influence on Pakistan and India

Kashmir is a constant thorn in Indo-Pakistani relations. Pakistan still demands that the plebiscite required by the 1949 Security Council resolutions be held. India refuses, stating that the regular elections conducted within the state of Jammu and Kashmir have supported parties that favor integration with India and these elections are a surrogate for the plebiscite. Neither India nor Pakistan will budge from its position and compromise is highly unlikely.³ Kashmiri self-determination takes a back seat to both positions.

Kashmir is a very pleasant area and a tourist center when calm. The climate is mild and the scenery spectacular. However, India and Pakistan regularly engage in artillery exchanges along the border, and there has been a decades-long guerrilla movement among Muslims in Kashmir. The Indian police, border forces and military have conducted counter-guerrilla actions to suppress this movement. Kashmir is also a safety valve for both India and Pakistan. Whenever domestic crises mount or domestic politics get too difficult, both sides find it convenient to "beat the Kashmir drum" and focus national problems on the intractable Kashmir problem. It is therefore useful to examine the Kashmir question from those principal points of view: Indian, Pakistani and Kashmiri.

An Indian Point of View⁴

The insurgency in Kashmir has continued over the decades, but intensified following the Russian withdrawal from Afghanistan and military activity peaked in 1994. The guerrillas, habitually trained, armed and supported by Pakistan, include many mercenary (India's term) outsiders. The typical Kashmiri guerrilla is tired of the struggle, disillusioned with

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Pakistan and not a tenacious fighter. It is clear that the war will not gain independence for Muslim Kashmir. The guerrilla war has damaged the economy of Kashmir and driven the tourists away.

Mercenaries from the Muslim nations constitute the major guerrilla threat. Pakistan has pushed itself into the conflict by backing these mercenaries and fanning the flames. The bulk of the mercenaries are Pakistanis and Afghan Mujahideen, but there are also Algerians, Chechens, Egyptians, Libyans and Bahrainians. (The figures on page 70 are extracts from Indian documents detailing the origins of killed and captured foreign guerrillas during the 1990s.) The mercenaries are very dedicated since this is their *Jihad* (holy war).⁵ Although they are supplied and supported by Pakistan, their goal is not simply to annex Kashmir to Pakistan but to install an Islamic state from Kashmir to Central Europe.

As the support and interest of the local Kashmiris flagged, the local guerrillas were replaced by Mujahideen. Initially this created problems since the Mujahideen instructions were not clear, and their womanizing and extortion cost them support among the local Kashmiris. Later groups of Mujahideen entered the area with tighter discipline and new instructions to pay for what they took, pay for services, leave the local women alone and conduct themselves honorably. This policy paid dividends for the guerrillas, garnering local support and even allowing them to set up some local governments. These successes portend long-term problems for the Indian police, military and border guards. India expects the insurgency to intensify once the Taliban conquer all of Afghanistan, freeing up forces for Kashmir.

The Indians pursue counterinsurgency in Kashmir slowly, methodically and carefully — avoiding harshness and brutality. They try to attack only hostile elements and thus not turn the populace against India. Economic development and restoring the democratic process must go hand-in-hand



An Indian soldier prepares to blow an entry hole into a multistory building with a Karl Gustav recoilless rifle. Two insurgents are inside.



A Kashmir rebel with a new Dragunov sniper rifle.

Soldier of Fortune

Kashmir has triggered two of the three India-Pakistan Wars and may do so again. Whenever domestic crises heat up or domestic politics get too difficult, both sides divert national attention to Kashmir. Border clashes occur and the insurgency or counterinsurgency efforts mount, but open warfare is avoided. As long as Kashmir remains a safety valve for both countries, nuclear conflict is unlikely. However, if both sides raise the Kashmir issue simultaneously, or if local events promote outrage, the situation could escalate.

with the counterinsurgency. The Indians are trying to instill the "Spirit of India" in the Kashmiris and have them identify with a group beyond their tribe and religion. The Indians see the local populace as the primary source of intelligence, particularly local women. Indian medical treatment programs, flood relief and other emergency relief programs have built rapport and made the local populace more willing to supply information.

The Indian Army in Kashmir includes various ethnic and religious groups and has a professional non-commissioned officer corps. Local commanders generate rules of engagement and are responsible for excesses by their forces. Besides regular army units, which take their turn at Kashmir service, special counterinsurgency units, such as the Rashtriya Rifles, are in Kashmir for the duration. The Indian Army does not deploy armed propaganda teams but does have some psychological operations forces involved, and police always accompany military raids. Thick vegetation restricts helicopters primarily to administrative movement of VIPs and forces. The Indian Army has formed popular *Kuka Parry* units, composed of former Kashmiri guerrillas. During their standard two-year enlistment, they fight the guerrillas on their own terms, but their actions have also generated some complaints among the local populace.

India feels that China, not Pakistan, is its main threat and discounts Pakistan's claims to Kashmir since India considers Jammu and Kashmir a part of

its sovereign territory, beyond negotiation or mediation. In India's view, Kashmir is an Indian state being subverted by an externally promoted revolt. India is a powerful secular state that can withstand guerrillas and external pressures from Pakistan and elsewhere indefinitely.

A Pakistani Point of View⁶

The plebiscite ordered by the UN Security Council in 1949 has yet to be conducted and India refuses to conduct these elections since Kashmir clearly would vote to join Pakistan. The plebiscite resolution is now 50 years old—the longest-lasting noncompliance in UN history. India did not produce the instrument of accession before the UN in 1948 and refused to do so until the 1960s.⁷ The maharajah's signature may well be forged. Pakistan has a duty to support fellow Muslims pursuing self-determination. Ironically, Indian democracy denies democratic determination to Kashmir.

The only Muslim-majority state in India is Kashmir, which India wants to retain as a symbol of national secularism. Pakistanis feel a moral obligation to keep the issue before the international community. India, clearly Pakistan's main threat, is much larger and militarily well equipped. Pakistan could shrink from contact with India and try to mollify its powerful neighbor, but it has a moral obligation to keep the issue alive by supporting the oppressed Muslims in Kashmir.

A Kashmiri Point of View⁸

The Kashmiris want the Indian-Pakistani dispute over their land settled justly by considering the wishes of Kashmir's residents. The Kashmir upheaval goes back to 1931, when the Kashmiri people rose against the feudal ruler Britain forced on the colony. The feudal ruler turned Kashmir over to India, provoking nonviolent uprisings against the Indian occupation in 1953 and 1964-1965, which the Indian Army cruelly crushed. The current revolt signals a people's desire for freedom, not support from Pakistan. Kashmiris demand an end to Indian occupation and a free vote to decide their status. Kashmir, the only state of the former British Indian Empire to be treated as mere chattel, is not a mere territorial dispute between India and Pakistan to resolve by their compromise; the people of Kashmir must decide their own fate: independence, accession to India or accession to Pakistan.

Indian soldiers occupy Kashmir in strength, making it probably the most densely garrisoned disputed territory on earth. The major opposition is not from Pakistan, Afghanistan or anywhere else outside Kashmir. Kashmiris themselves provide the main opposition, and should these outsiders leave, Kashmir would remain in turmoil because of Indian oppression and denied self-determination. The genuine political voice of the Kashmiri people, the All-Parties Hurriyet Conference (APHC) categorically rejects violence and terrorism and is dedicated to the peaceful resolution of the conflict on any terms consistent with the right of self-determination.

Religion is not a prime reason for strife in Kashmir, where Hindus, Muslims, Buddhists and Sikhs lived in harmony for decades before the Indian invasion of 1947. Today there is intense popular sentiment for independence by Kashmiris of all religions and ethnic groups. An independent Kashmir would not be isolated from India and Pakistan but have close links to both and gladly provide a meeting ground for their negotiations.

The Authors' View point

During political and military involvement in Kashmir, Pakistan has emphasized the religious aspects of the conflict and "freeing" the Kashmiri Muslims from the "infidel" Hindus. Since the partition of India, fighting in Kashmir has been considered a religious duty, particularly by the Pashtuns who straddle the Afghan-Pakistani border. They want to help fellow Muslims struggle against perceived Hindu hegemony in Kashmir. Hindu-Muslim clashes in other parts of the subcontinent, immediately following the partition, increased Pashtun commitment. In later years, Pashtun volun-



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teers spearheaded Pakistani incursions into Indian-occupied Kashmir.

During the Soviet-Afghan war, political Islam spilled across Afghanistan's borders, intensifying religious-based struggles and Islamic militancy in the region. During this period, hundreds of Kashmiris joined the Afghan Mujahideen in their *Jihad* against the communists. Some 500 Kashmiris reportedly took part in the Mujahideen's capture of the eastern Afghan city Khost in April 1991.⁹ After the communist regime in Kabul collapsed, most Kashmiri combat veterans returned home to continue their *Jihad* or were mobilized by Pakistan to become part of the Kashmiri Mujahideen.¹⁰

Foreign analysts have noted that rising of Islamic fundamentalism worldwide coincided with deterioration of social and economic conditions in Kashmir.¹¹ This made the area an attractive battlefield for *Jihad* freelancers, including members of fundamentalist Afghan Mujahideen groups, particularly the *Hesh-e Islami* led by Globulin Hekmatyar. At the same time, the rise of Hindu fundamentalism and increasing political clout of the Hindu Baharatiya

Nationality of Foreign Guerrillas Killed or Arrested Annually in Jammu and Kashmir*	KILLED								Totals	ARRESTED								Totals
	1990	91	92	93	94	95	96	1990		91	92	93	94	95	96			
Afghanistan	4	2	4	50	49	14	13	136	-	-	1	1	9	-	1	12		
Bahrain	-	-	-	2	-	-	-	2	-	-	-	2	-	-	-	2		
Bosnia	-	-	-	-	-	-	1	1	-	-	-	-	-	-	-	0		
Chechnya	-	-	-	-	-	-	1	1	-	-	-	-	-	-	-	0		
Egypt	-	-	-	-	1	-	-	1	-	-	-	-	-	-	-	0		
Lebanon	-	-	-	-	-	-	-	-	-	-	-	1	-	-	-	1		
Pakistan & Pakistan-occupied Kashmir	10	9	10	38	34	31	15	147	-	2	5	16	23	33	10	79		
Sudan	-	-	-	-	2	-	2	4	-	-	-	-	-	-	-	0		
Yemen	-	-	-	-	1	-	2	3	-	-	-	-	-	-	-	0		
Other (Saudi Arabia, Bangladesh, Tadjikistan, etc)	-	1	-	-	35	40	105	181	-	-	-	-	-	-	8	8		
Total	14	12	14	90	122	85	139	476	-	2	6	20	32	33	19	102		
*Extracted from Indian Documents																		

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Janata Party (BJP) allowed a more hawkish element to influence India's policy vis-à-vis Kashmir. Using force against those suspected of harboring the Mujahideen and reported widespread violation of human rights further polarized communities.

Consequently, the Kashmir situation is now inextricably tangled and draws unofficial international players. It has become too complicated to resolve through bilateral negotiations, nor do internal Kashmiri political factions speak with one voice. Paradoxically, the resulting complexity discourages India and Pakistan from again resorting to a military solution. The governments cannot ignore the problem because it is a popular issue with the electorates, but they can hardly risk a major military confrontation that offers only limited results.¹² While the dispute continues to influence domestic and foreign policies of both sides, it serves as a safety valve in India-Pakistan relations. A comprehensive solution is distant at best. Eventually the control line may turn into a permanent border between India and Pakistan with the Muslim Kashmir valley given a special status, while the Jammu and Ladakh areas with their predominantly Hindu and Buddhist populations could remain closely connected with India. Such a second partition may not be the best solution, however. Unless a settlement satisfies those who want Kashmir independence regardless of religion, an incipient Kashmiri independence movement may continue to trouble relationships between India and Pakistan.

Enter the Nuclear Genie

Indian and Pakistani nuclear weapons have further destabilized southern Asian relations. When the United States, the Soviet Union, Britain, France and China developed nuclear weapons, they all required time to develop attendant doctrine. At first, they viewed nuclear weapons as very powerful artillery and thought that battles could be fought more effectively by incorporating nuclear fires in the scheme of maneuver. Over decades, strategic, operational and tactical nuclear weapons were fielded. Simultaneously, the nonutility of nuclear weapons and their unacceptable collateral effects became more and more apparent. Such concepts as Mutual Assured Destruction were developed to prevent the use of these powerful weapons.

These newer nuclear states have not yet experienced that intellectual evolution. At present, some officials in India consider nuclear war achievable and survivable. High-ranking Indians have declared India and Pakistan may go to war over Kashmir in the future. Both sides could use nuclear weapons. India would survive such a war, but Pakistan could not.¹³ Should such thinking dominate policy decisions, South Asian security will be tenuous in the coming decades.

India and Pakistan have not openly discussed their approaches to nuclear command and control procedures, nuclear surety, safeguards, and doctrine for employing nuclear weapons. These issues, naturally, concern their neighbors and the international community.

The Kashmir issue has been a point of contention between India and Pakistan for over a half-century. Little headway toward resolution has been made during that time despite three wars, a protracted guerrilla war and perpetual animosity. Nuclear weapons in both state's arsenals further complicate the issue.

Kashmir has triggered two of the three India-Pakistan Wars and may do so again. Whenever domestic crises heat up or domestic politics get too difficult, both sides divert national attention to Kashmir. Border clashes occur and the insurgency or counterinsurgency efforts mount, but open warfare is avoided. As long as Kashmir remains a safety valve for both countries, nuclear conflict is unlikely. However, if both sides raise the Kashmir issue simultaneously, or if local events promote outrage, the situation could escalate and indeed become a flashpoint.

Kashmir seems an unsolvable conundrum. Yet, US-Sino relations were equally difficult several decades ago. The developing business and trade partnerships improved official relationships. Perhaps, if India and Pakistan opened their borders for trade and economic contacts, their governments could review policy options. Once India and Pakistan have economic interests in each other's well being, the specter of future conflict might subside.¹⁴ But state economic ties alone cannot avert war. Economic actions must couple with political and military actions to ensure stability. Free, internationally supervised

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elections in Jammu and Kashmir could provide an independent partial buffer zone between India and Pakistan. However, neither India nor Pakistan would agree to such a solution today.

Perhaps the best hope for the Indian subcontinent is that India and Pakistan will shift their nuclear weapons policies from warfighting to deterrence as they develop and field warheads and delivery systems. Apparently, only after both sides have developed a nuclear warfighting capability will the possibility of internationally brokered arms ceiling talks occur. Nuclear weapons may never be eliminated from the region, but perhaps their number can be reduced. For now, the emerging nuclear threat endangers the Indian subcontinent. **MR**

NOTES

1. According to the Indian government, 11.67 percent (some 95.2 million people) of the population is Muslim. Department of Statistics, Ministry of Planning and Program Implementation, *Statistical Abstract India 1997* (New Delhi: Government of India, 1997), 43-46.
2. Background section derived from Vernon Hewitt, *New International Politics of South Asia* (London: St. Martin's, 1997); Rajesh Kadian, *The Kashmir Tangle: Issues and Options* (Boulder: Westview Press, 1993); Dennis Kux, *India and the United States: Estranged Democracies* (Washington, D.C.: NDU Press, 1993); Richard F. Nyrop (ed.), *India: A Country Study*, Department of the Army Pamphlet (DA Pam) 550-21, Fourth edition (Washington, D.C.: US Government Printing Office [GPO], 1985); and William Evans-Smith (ed.), *Pakistan: A Country Study*, DA Pam 550-48, Fifth edition, (Washington, D.C.: GPO, 1984).
3. Hewitt, 385.
4. This section is based on a series of conversations Mr. Grau had with a reliable highly placed source within the Indian government in July 1998.
5. "Mercenary" is the pejorative Indian description of these guerrillas. Most of the guerrillas appear to be unpaid volunteers fighting *Jihad*. A mercenary does not fight *Jihad* since he is fighting for the highest bidder and not his religious convictions.
6. The authors thank Major Ahmad Mahmood Hayat and several other Pakistani citizens for sharing their views on the Kashmir situation.

7. The instrument of accession is the agreement by which the Maharajah of Jammu and Kashmir joined his state to India.
8. It is difficult to present a representative Kashmiri view with any degree of certainty since the Indian government has not published any open polls on either accession or independence conducted in Jammu and Kashmir. The authors thank Dr. Ghulam Nabi Fai of the Kashmiri American Council and other Kashmiris for sharing their scholarship and views.
9. Joint American-Russian Study Mission, *Afghanistan and Kashmir* (New York: The Asia Society and Institute of Oriental Studies, 1993), 12.
10. Ali Jalali's conversation with several Pakistani analysts in October 1992.
11. Ali Jalali's interview with Professor Stephen Cohen of the University of Illinois, Peshawar, October 1992.
12. In addition, India's 95 million Muslims are multiplying at a birth rate significantly higher than that of Hindus in nearly every state, making Muslims an increasingly important factor in Indian politics. Department of Statistics, Ministry of Planning and Program Implementation, *Statistical Abstract India 1997* (New Delhi: Government of India, 1997), 42-43.
13. Conversation Mr. Grau had with a highly placed Indian official in July 1998.
14. "Subcontinental Divide," *Asian Wall Street Journal*, 4 August 1998.

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